

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08-cr-259

UNITED STATES OF AMERICA

vs.

SHONTAVIA BARBER (8)

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ORDER

THIS MATTER is before the Court upon letters of the defendant pro se for deferral of her restitution payments until she is released from federal custody. (Doc. Nos. 302, 304, 305, 307).

According to the letter, the defendant is enrolled in the Inmate Financial Responsibility Program (“IFRP”). Participation in the IFRP is voluntary, and an inmate becomes eligible for certain benefits by her involvement in the program. 28 C.F.R. § 545.11 et seq. A team at a prison facility considers an inmate’s financial information, monitors the amount of money in her trust account, and determines the required monthly payment for participation in the program.

Here, the Court ordered that payment of the defendant’s criminal monetary penalties was due immediately and recommended participation in the IFRP. (Doc. No. 281: Amended Judgment at 2, 5). Any balance outstanding at the time she begins her supervision is to be paid in installments of \$50 per month to commence 60 days after her release from imprisonment. (Id. at 5). In her letters, the defendant requests that she be spared her monthly payment while incarcerated because of the hardship it places on her grandmother who is supporting her. However, the program does not require outside sources to contribute to the IFRP. 28 C.F.R. § 545.11(b). The defendant has the choice of whether to remain in the program, or can challenge its execution through administrative remedies.

IT IS, THEREFORE, ORDERED, that the defendant's requests to defer restitution payments through the IFRP (Doc. Nos. 302, 304, 305, 307) are **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation office.

Signed: January 5, 2012

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

